



Federal Bureau of Investigation

Freedom of Information / Privacy Acts

Release

Subject: JOHN OLIVER KILLENS

105-37137-X

Received

NOV 15 1941

101-34004

November 15, 1941

Special Agent in Charge

Washington, D. C.

RE:

JOHN KILLERS
 ASSISTANT CLERK
 NATIONAL LABOR RELATIONS BOARD
 INTERNAL SECURITY, HATCH ACT

Dear Sir:

Reference is made to your letter of October 30, 1941 concerning the captioned individual.

As you are aware, the Bureau has been specifically directed by Congress to institute investigations of Government Employees who are members of subversive organizations or who advocate the overthrow of the Federal Government.

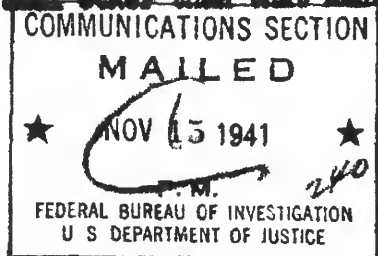
You are directed to institute immediate investigation in conformance with the instructions contained in Bureau Bulletin No. 35, First Series, 1941, and forward a complete report not later than fifteen days from the receipt of this letter.

You are specifically instructed to fully develop complete information concerning the subject's connections with any "subversive" organizations including his present activities and relationship thereto. It is not desired that a detailed investigation concerning background and personal history be conducted, but the inquiry should be definitely limited to determining whether or not this individual is engaged in activities inimical to the best interest of this Government.

In the preparation of the investigative report which will reflect the entire investigation, it should be borne in mind that copies may be furnished to other Government Agencies. It is therefore incumbent upon you to protect the identity of informants or sources of information where such action is considered advisable by your office. There should be no reference to custodial detention matters in this report.

Inasmuch as this investigation is being made at the specific request of Congress I will not tolerate any failure to comply in every respect with the instructions contained in this letter.

The Bureau's files fail to reflect any additional information concerning this individual other than that mentioned in your reference letter.



ALL INFORMATION CONTAINED

4/24/02

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SP2MUT/jkt

Very truly yours,

E. Hoover

John Edgar Hoover
 Director

**Federal Bureau of Investigation
United States Department of Justice**

CEW:GB
101-2027

Washington, D.C.

October 30, 1941

Director
Federal Bureau of Investigation
Washington, D.C.

RE: ^①JOHN KILLENS, Assistant Clerk,
National Labor Relations Board
Internal Security, Hatch Act

Dear Sir:

The New York Office, by letter of October 1, 1941, furnished names of individuals residing in Washington, D.C. who executed delegate cards at a convention of the American Youth Congress, which names were obtained from a highly confidential source.

These names included the name of JOHN KILLENS, Age 25, 430 21st Street, N.E., who represented the Terrell Law Students' Association, and that he made a contribution of \$3.00.

Special Agent L.I. PROSISE of this office ascertained from [redacted] of the Personnel Section of the National Labor Relations Board that KILLENS is an Assistant Mail and File Clerk in the letter and file sections of the National Labor Relations Board.

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Appropriate investigation will be made by this office unless the Bureau should instruct to the contrary.

Very truly yours,

S.K. McKEE
Special Agent in Charge

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EX 8

105-37137-X
~~101-3486-1~~
FEDERAL BUREAU OF INVESTIGATION
10 NOV 1 1941
U. S. DEPARTMENT OF JUSTICE
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FOIPA # 967567
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11/13/41
11/17/41

105-37137-XI

EX-100

101-3444-2

March 17, 1942

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101-3444-2

PERSONAL AND CONFIDENTIAL

Mr. H. A. Millis
Chairman
National Labor Relations Board
Shoreham Building
Washington, D. C.

Dear Mr. Millis:

As you are aware, the Federal Bureau of Investigation has been specifically instructed by Congress to investigate any Government employee who is the subject of a complaint coming within the purview of Public Law No. 135, 77th Congress, and to make a complete report of its findings to Congress.

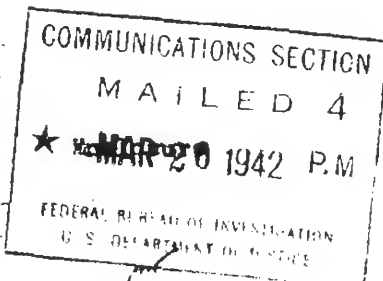
In compliance with this directive an investigation has been conducted concerning John Oliver Killens and I am transmitting herewith a copy of the following investigative report which reflects the results of this inquiry:

Report of Special Agent K. A. Clev dated March 10, 1942 at Washington, D. C.

Inasmuch as our final report to Congress must be complete in every respect I would appreciate receiving your official comment as to the ultimate disposition of this case either by exoneration, dismissal or other administrative action.

Sincerely yours,

John Edgar Hoover
Director



RECEIVED BY ROOM
MAR 20 1942

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Carson _____
Mr. Coffey _____
Mr. Hendon _____
Mr. Holloman _____
Mr. McGuire _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **WASHINGTON FIELD**

FILE NO. **101-2027**

REPORT MADE AT WASHINGTON, D. C.	DATE WHEN MADE 3-10-42	PERIOD FOR WHICH MADE 1-14, 16, 23, 24; 2-11-42	REPORT MADE BY K. A. CLOW KAC:SHP
TITLE JOHN OLIVER KILLENS Assistant Mail and Files Clerk, National Labor Relations Board			CHARACTER OF CASE INTERNAL SECURITY—HATCH ACT

SYNOPSIS OF FACTS: JOHN OLIVER KILLENS is employed as Assistant Mail and Files Clerk, National Labor Relations Board. A confidential source advised his name appeared on the active indices of the Washington Committee for Democratic Action. Confidential sources advise he represented the Terrell Law School, Washington, D. C. Students Association at a convention of the American Youth Congress; that he resides at 3120 Thirteenth Street, N. W., Washington, D. C., occupied also by [redacted] said to be a member of the Communist Party and one of the officers in the National Negro Congress. Several confidential informants advise Mr. KILLENS follows what they term the Communist faction in the National Labor Relations Board. One informant advised Mr. KILLENS attends meetings of the National Negro Congress but does not believe he is a member. Some informants believe he is loyal and not affiliated with disloyal or un-American organizations. Mr. KILLENS, in signed voluntary statement, admitted former membership in the Washington Committee for Democratic Action and also admitted acting as delegate to the American Youth Congress in July of 1941, for the National Council of Law Students. Denies making any contribution. Admits also that he participated in meetings of the National Negro Congress pertaining to police brutality and contribution campaign, but denies he is an official member. He advised he was not aware that these organizations advocate the overthrow of, or disloyalty to the United States Government.

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COPIES DESTROYED

13 MAY 15 1972

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REFERENCE: Bureau letter to Washington Field Office dated November 15, 1941.

105-37137-X1 120

APPROVED AND FORWARDED <i>SK McKee</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 1-cc to Mr. McKee - Nat'l Labor R. Bd. out of informant's dossier - 22 5 Bureau - 3/2/42 Washington Field		AGENCY <i>100-990</i>	REQ REC'D <i>2/20/70</i>
		REPT FORW <i>3/6/70</i>	BY <i>[signature]</i>

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DETAILS:

I. PERSONAL HISTORY

A. Files of the National Labor Relations Board disclose the following information pertaining to Mr. JOHN KILLENS:

Mr. KILLENS was born in Macon, Georgia, January 14, 1916. He gives his legal residence also as Macon, Georgia. His education is listed as four years academic training at Ballard Normal School in Macon, Georgia and one and one-half years credit at Morris Brown College, Atlanta, Georgia.

B. The personnel files further disclosed that Mr. KILLENS entered on duty with the National Labor Relations Board as messenger on April 27, 1936. His present position is assistant mail and files clerk, grade CAF 3, at a salary of \$1620 per year. He has no supervisory duties. His former address was listed as 3120 Thirteenth Street, N. W., Washington, D. C. His present address is 430 Twenty-First Street, N. E., Washington, D. C.

II. BASIS FOR INVESTIGATION

A confidential source hereinafter designated as [] advised that the name of JOHN OLIVER KILLENS appeared on the active indices of the Washington Committee for Democratic Action.

III. RESULTS OF INVESTIGATION

[] further advised that Mr. JOHN KILLENS, residing at 430 Twenty-First Street, N. E., Washington, D. C., attended a convention of the American Youth Congress as a delegate representing the Terrell Law Students Association. A contribution of three dollars was made by Mr. KILLENS during this meeting. [] stated that [] known to him to be a member of the Communist Party, from 1933 to 1939 resided at 3120 Thirteenth Street, N. W., Washington, D. C. A Communist meeting, said [] was held at this address under the direction of [] and assisted by other members of the Communist Party. (It is to be pointed

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out that [] has resided at this address for several years and that Mr. KILLENS resided at this address in 1949).

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A confidential informant hereinafter designated as [] who has a wide acquaintance among Government employees and members of the Communist Party, Washington, D. C., advised that informant had no information concerning this individual.

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A confidential informant hereinafter designated as [] who has considerable information concerning subversive groups in Washington, D. C., advised that the name of Mr. JOHN KILLENS had not come to their attention.

On January 3, 1942, the active indices of the Special Committee investigating Un-American Activities, House of Representatives, MARTIN DIES, Chairman, were checked by Special Agent F. H. GREEN of the Washington Field Office but failed to disclose the name of JOHN OLIVER KILLENS.

A confidential informant hereinafter designated as [] who is a business acquaintance of Mr. KILLENS advised that Mr. KILLENS is associated with the Communist faction in the National Labor Relations Board and believes he is being used as a tool on the Communist Racial Equality Slate. [] advised that this Communist faction in the National Labor Relations Board is headed by DAVE RIEN whom he believes to be unquestionably either a Communist or a fellow traveler, and that Mr. RIEN constantly is running Mr. KILLENS for office in the National Labor Relations Board Union. [] advised that he would like to bring out at this point that Mr. JOHN KILLENS is a colored fellow and that it is his belief that one of the Communist Party Platforms was the Racial Equality for Negroes. Having this in mind, [] stated that it was quite apparent that what he referred to about Mr. RIEN running Mr. KILLENS for office in the National Labor Relations Board Union would place such action as being sponsored by the Communist Party.

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From a confidential informant hereinafter designated as [] it was ascertained that during the time that he was employed by the National Labor Relations Board, he had noticed that Mr. KILLENS was being constantly pushed by the Communist Party faction in the National Labor Relations Board

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Union; that Mr. KILLENS could be relied upon to vote favorably for any resolutions brought up by DAVE RIEN or other members of the Communist Party faction. [] stated that he did not believe that Mr. KILLENS was actually a Communist Party member but was more or less just an innocent dupe of the Communist Party faction.

A confidential informant hereinafter designated as [] who is a personal acquaintance of Mr. KILLENS advised that there had been no action on the part of Mr. KILLENS that would definitely place him in the Communist Party; that, however, Mr. KILLENS had been adopted by the DAVE RIEN faction of the National Labor Relations Board Union. This faction, [] pointed out, is, to his belief, a Communist sponsored faction. Mr. RIEN and other members of this faction that Mr. RIEN represents is constantly pushing Mr. KILLENS as a candidate for different offices within the National Labor Relations Board Union. [] stated that Mr. KILLENS could always be relied upon to vote the DAVE RIEN way. [] said that he noted that Mr. KILLENS was placed on the ballot by the RIEN faction as a candidate for the vice presidency of the National Labor Relations Board Union. Although Mr. KILLENS was not successful, [] said it was interesting to note that Mr. KILLENS made no speeches in connection with his candidacy but that all this was taken care of by Mr. RIEN and others of the Communist faction of the National Labor Relations Board Union.

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A confidential informant hereinafter designated as [] who is a business and social acquaintance of Mr. KILLENS advised that he was rather surprised to find that he should be interviewed concerning the loyalty of Mr. KILLENS; that it was his belief that Mr. KILLENS is entirely American and is not affiliated with any organizations of a disloyal or Un-American nature. [] advised that he knew that Mr. KILLENS was a member of the National Association for the Advancement of Colored People and that Mr. KILLENS also attended meetings of the National Negro Congress; that he did not believe Mr. KILLENS was a member of this organization.

A confidential source of information hereinafter designated as [] who is acquainted officially with Mr. KILLENS advised that Mr. KILLENS hangs around with the liberal click in the National Labor Relations Board; that, however, it was not best for him to form any conclusion as to Mr. KILLENS political beliefs.

A confidential informant hereinafter designated as [] who is a business acquaintance of Mr. KILLENS advised that he had worked beside Mr. KILLENS for about two years and was not inclined to believe that Mr. KILLENS was a member of or in sympathy with an organization of a disloyal or Un-American nature. The only organization [] stated that he knew Mr. KILLENS belongs to is the National Labor Relations Board Union. [] stated that Mr. KILLENS seemed to follow the New Deal policies almost entirely. On one occasion [] advised Mr. KILLENS had voiced opposition to the publication of the DIES List as being unfair as he believed a good many names published were members of this particular organization but were innocent of any Un-American intentions. The only criticism [] stated that he had heard KILLENS make regarding the United States Government was a criticism of the prejudices against the negro race. [] stated that his reaction is one of surprise to inquiries about Mr. KILLENS as he believed him to be entirely free from any Un-American intent.

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A confidential informant hereinafter designated as [] who has considerable information concerning persons who are considered by him to be Un-American or disloyal, advised that he had no information concerning Mr. KILLENS.

From a confidential informant hereinafter designated as [] who has a business acquaintance with Mr. KILLENS, it was ascertained that there was considerable doubt about how Mr. KILLENS stood politically. That she was almost certain that Mr. KILLENS was being used as a tool of the DAVID RIEN group. [] stated that Mr. RIEN was active in many organizations which she considered to be nothing more or less than Communist front organizations. It was clear to [] she stated, that there were different factions in all organizations, even the Communist front organizations, and that it was apparent by the way different individuals

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voted on resolutions as to whether they were in sympathy in part with the Communist Party. [] stated that she always noted that Mr. KILLENS would vote with the Communist faction and therefore she believed him to be a fellow traveler even though not actually a member.

A confidential informant hereinafter designated as [] who has been acquainted with Mr. KILLENS during his attendance at the Terrell Law School in Washington, D. C., advised that no information had been brought to his attention that would indicate that Mr. KILLENS was aligned with or in sympathy with organizations with a disloyal or un-American character.

A confidential informant who is designated herein as [] and who resides close to the present address of Mr. KILLENS advised that Mr. KILLENS seems to be a loyal American citizen and that at the present time Mr. KILLENS is designated as Air Raid Warden in his neighborhood.

A confidential informant hereinafter designated as [] who has a slight social acquaintance with Mr. KILLENS advised that nothing in the actions or manners of Mr. KILLENS had indicated to him that Mr. KILLENS was disloyal to the United States Government in any way; that JOHN KILLENS seems to be very much interested in the Allies winning the present world conflict and has recently been appointed Air Raid Warden in the neighborhood of his present residence.

IV. INTERVIEW WITH EMPLOYEE

On February 26, 1942, Mr. JOHN KILLENS voluntarily appeared in the Washington Field Office and gave the following voluntary signed statement.

Washington, D. C.
February 26, 1942

Statement of JOHN OLIVER KILLENS, made in the presence of Special Agent
E. F. RYAN and Stenographer [redacted] Federal Bureau of Investiga-
tion. Questions by MR. RYAN.

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Q. MR. KILLENS, the Federal Bureau of Investigation was empowered by the 77th Congress of the United States, under Public Law 135, to investigate the employees of the Federal Government who are alleged members of subversive organizations or who advocate the overthrow of the Federal Government, and make a report to Congress. The purpose of this interview is to allow you an opportunity to answer questions concerning information which has been received by the Federal Bureau of Investigation about alleged activities on your part. The questions I am about to ask you may be answered if you so desire, and you will be given an opportunity to make any statement of your own which you feel will fairly present your side of the question. A copy of the report of the investigation, incorporating your statement, will be furnished to the agency which employs you. Do you have any objection to making this statement under oath?

A. No.

Q. Would you raise your right hand, please? Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

A. I do.

Q. Will you state your full name, please?

A. JOHN OLIVER KILLENS.

Q. Where do you live?

A. 420 Twenty-first Street, N. E.

Q. Where are you employed?

A. National Labor Relations Board.

Q. In what capacity?

A. Clerk--classification clerk.

Q. Are you now or have you ever been a member of any organization which advocates the overthrow of the Federal Government?

A. No, indeed.

Page 2

Q. Are you now or have you ever been a member of any organization which advocates disloyalty to the Federal Government?

A. No.

Q. Are you now or have you ever been a member of the Washington Committee for Democratic Action?

A. I am not now. I have been.

Q. What occasioned your membership in the Washington Committee for Democratic Action?

A. I was approached by someone (I don't remember who) who showed me the program of the Washington Committee for Democratic Action, and I thought it was a nice program, so I joined about three years ago, I believe. I was a member about a year. I did not renew my membership.

Q. In what activities of the Washington Committee for Democratic Action were you a participant?

A. I don't believe I was a participant in any activities. I was just a member, that is all.

Q. Did you ever contribute money or services to the Washington Committee for Democratic Action?

A. I contributed one dollar membership; that's all.

Q. Are you now or have you ever been a member of the American Youth Congress?

A. I was a delegate to the American Youth Congress last year,

Q. A delegate from where?

A. National Council of Law Students.

Q. Did you contribute money or services to the American Youth Congress?

A. I did not.

Q. Did you participate in any of its activities?

A. I attended a Congress in July, I believe. As a delegate I participated in the conference that was held, but nothing else.

Page 3

Q. Are you now or have you ever been a member of the National Negro Congress?

A. I was never an official member of the National Negro Congress.

Q. Have you ever participated in any of the activities of the National Negro Congress?

A. I am sure I have at various times participated in activities of the Congress in Washington.

Q. What was the nature of those activities?

A. I have attended various meetings on police brutality which the Congress sponsored, and the Congress--I believe they sponsored various drives throughout the year where you made contributions. I have made contributions to the Congress, about four years ago.

Q. Have you ever contributed services to the National Negro Congress?

A. I have not.

Q. At this time you may have the opportunity of making any statement of your own which you think is pertinent to this inquiry if you desire.

A. I would like to state at the time of joining the Washington Committee for Democratic Action I did not think it was affiliated with any party or had any affiliations that advocated the overthrow of our Government or disloyalty to our Government. The same is true of the National Negro Congress and the American Youth Congress.

Q. All right, thank you very much. —

the
/c/ Special Agent in Charge
Washington, D.C.

SOURCES OF INFORMATION

active indices of the Washington Field Office and Washington Field Office Files 101-0-6-7, 100-2806, 100-431.

[redacted] confidential informant of Washington Field Office.

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[redacted] Washington, D. C.

[redacted] National Labor Relations Board.

[redacted] National Labor Relations Board.

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[redacted] National Labor Relations Board.

[redacted] National Labor Relations Board.

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[redacted] National Labor Relations Board.

[redacted] Trial Examining Section, National Labor Relations Board.

[redacted] National Labor Relations Board.

[redacted] Terrell Law School, Washington, D. C.

[redacted] Washington, D. C.

[redacted] Washington, D. C.

105-27137-X2

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101-5486-3

April 25, 1942

Special Agent in Charge
Washington, D. C.

RE JOHN OLIVER KILLENS
NATIONAL LABOR RELATIONS BOARD
INTERNAL SECURITY, HATCH ACT

Dear Sir:

For your information and the completion of your files this is to advise that the above-mentioned government agency has advised the Bureau, after a review of the report submitted by your office, that no administrative action is being taken against the subject of this investigation.

Very truly yours,

J. E. Hoover

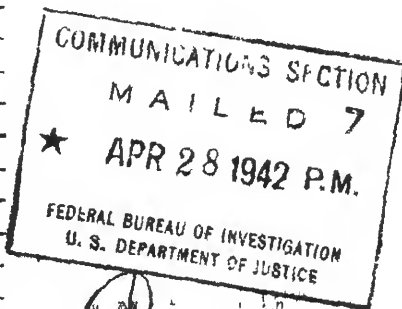
John Edgar Hoover
Director

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/21/02 BY SP2MGT/KAT

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Carson _____
Mr. Coffey _____
Mr. Hendon _____
Mr. Holloman _____
Mr. McGuire _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____



CLERK
MAY 5
1942



NATIONAL LABOR RELATIONS BOARD

WASHINGTON, D. C.

DECLASSIFIED BY *SP2MJS/LPH*
ON *11/21/02*

13 April 1942

PERSONAL AND CONFIDENTIAL

Mr. John Edgar Hoover
Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

Re: John Oliver Killens
Your File No. 101-2027

Dear Mr. Hoover:

Receipt is acknowledged of the above entitled report, describing investigation of an employee of the National Labor Relations Board, made by the Federal Bureau of Investigation, pursuant to the provisions of Public Law No. 135, 77th Congress. You have asked me for my official comment as to the ultimate disposition of this case, either by exoneration, dismissal, or other administrative action.

Since the standards of conduct for government employees and the procedure for removal from the classified service are the subject of numerous statutes, regulations, and judicial decisions, the Board has made an analysis of the law applicable to investigations of this character with a view to ascertaining the pertinent legal principles (See Appendix "A"). Applying these standards of judgment to the instant case, the Board has reached the following conclusion:

This report relates to an investigation of a file clerk who entered the employ of the Board as a messenger in 1936 and was later promoted to the position of assistant file clerk.

Although the investigator reports that confidential sources reported to be in touch with subversive groups in the District of Columbia have no information that Killens belongs to any of them, and although his name is not on the indices of the Dies Committee, suspicion is apparently attached to him because of the fact that his address coincided for a brief period with the address of one, James Harris, said to be a member of the Communist Party. The report does not state whether this is a single house or an apartment, and Killens was not questioned as to whether he knew Harris.

Mr Tolson	.....
Mr E A Tamm	.....
Mr Clegg	.....
Mr Glavin	.....
Mr Ladd	.....
Mr Nichols	.....
Mr Rosen	.....
Mr Tracy	.....
Mr Carson	.....
Mr A. M. Ladd	.....
Mr J. E. Quinn
Mr W. C. Sullivan
Mr T. E. Gearty
Mr J. H. Connelley
Mr J. J. Nease
Miss Gandy

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W.H.

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EXAMINER!

While a number of acquaintances who were interviewed stated that they regarded him as a loyal American citizen, and called attention to the fact that he was serving as a neighborhood air raid warden, some fellow employees contended that he was aligned with the Communist faction in an employee union of the National Labor Relations Board and that this faction had sponsored his candidacy for a union office. It has not been the observation of the Board that there is any Communist group in this union and it is to be noted that it is not affiliated with any outside group.

Killens, when interviewed, stated that he had been a member of the Washington Committee for Democratic Action and had attended meetings of the National Negro Congress. He also stated that he had been a delegate from the National Council of Law Students to the American Youth Congress. (He was then a student at Terrell Law School) While some significance might be attached to this combination of activities, it appears from the report that Killens is a negro and a member of the National Association for the Advancement of Colored People. All of the organizations which he joined or whose meetings he attended stress negro rights and oppose racial discrimination. It therefore appears that his explanation of his activities was entirely plausible. Moreover, there is nothing in the report which indicates that Killens himself has any subversive tendencies or beliefs.

Since this report has not disclosed evidence which would support a prima facie case for dismissal proceedings, the Board is constrained to deem the report tantamount to exoneration.

Sincerely yours,

H. A. Millis

H. A. Millis
Chairman

APPENDIX "A"

The attached investigation has been made pursuant to a provision in the Department of Justice Appropriation Act, Public No. 135 (77th Cong., 1st Sess.), directing the investigation of employees "of every department, agency, and independent establishment of the Federal Government who are members of subversive organizations or advocate the overthrow of the Federal Government, and report its findings to Congress:". This proviso does not define the word "subversive". Applying the principle of eiusdem generis, however, it may be assumed that it meant organizations which advocate the overthrow of government. Such construction would be in harmony, not only with Section 9A(1) of the Hatch Act which forbids the employment of persons who have "membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States," but with the language contained in virtually all the appropriation acts which have been passed by Congress since 1939, providing that no part of the appropriations authorized under such acts should

"be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence:".

This language of the Hatch Act was the result of an amendment offered on the floor of the House by Mr. Nichols, who explained that it was directed at persons "connected with either the Communist, Fascist or German Bund Parties." (Cong. Rec., Vol. 84, Pt. 9, p. 9635).

Moreover, the Civil Service Commission has implemented Section 9A of the Hatch Act by ruling that as a matter of official policy it will not certify to any department or agency the name of any person when it has been established that he is a member of the Communist Party, the German Bund, or any other communist, nazi or fascist organization. (See Departmental Circular No. 222, June 20, 1940.)

With the exception of the statutory grounds previously enumerated, it should also be noted that employees cannot be removed for political beliefs, no matter how unpopular, since Civil Service Rule I, paragraph 2, forbids discrimination with respect to employees in the classified service because of political or religious opinions or affiliations. Such employees, however, both by reason of the Hatch Act and paragraph 1 of this rule, are forbidden from taking active part in political management or in political campaigns, although they may retain "the right to vote as they please and to express privately their opinions on all political subjects,".

Under the Constitution and Civil Service Rule XII, all power of removal in the Government service, except with respect to Presidential appointees, is vested in the head of the appointing agency. Removals on the ground of improving the efficiency of the service may be effected by serving an employee with formal charges, and furnishing an opportunity to file an answer to the charges in writing. A hearing can only be granted

ALL INFORMATION CONTAINED

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in the discretion of the removing officer and his separation may be accomplished by including in the record copies of the charges, the answer, the reasons for removal and the order of removal. The employee affected has a limited appeal to the Civil Service Commission, but only on the question of whether the procedure previously outlined has been followed or whether the removal was made for political or religious reasons.

Investigations conducted by the Federal Bureau of Investigation under Public No. 135, however, seem to fall into a different category, since the factual material contained in these investigation reports relates solely to the cause of removal specified in Section 9A of the Hatch Act and in the appropriation acts. It is well established that where causes of removal are specified by the Constitution or by statute, notice and opportunity for hearing are essential. (See Reagan v. United States, 182 U. S. 419, 425; Shurtleff v. United States, 189 U. S. 311, 314; see 39 OP. Atty. Gen. 142). Under ordinary principles of administrative law, a removal made after such a hearing would be reviewable by the courts only to the extent that there must be evidence to support it. In other words, the appointing agency itself must resolve conflicts of testimony and weigh the evidence. Conversely, there must be some evidence that the person removed falls within the classes proscribed by the statute. This evidence need not meet the standards of competence under the common law rules of evidence, but it must be of a substantial character, that is, something more than mere suspicion or an anonymous charge with respect to which no identified person would testify.

This collection of the applicable statutory enactments and regulations indicates the criteria of judgment to be applied to these reports in deciding whether or not the reports should be disposed of by exoneration, the institution of removal proceedings, or (where the report is inconclusive) further investigation. Summarized briefly, these criteria are as follows:

1. An employee is subject to removal proceedings if the report contains evidence that he advocates the overthrow of the Government or is connected with the Communist or German Bund Parties. He is not subject to removal, however, for professing unpopular political beliefs or joining societies or political parties which advocate unpopular social programs, unless they fall into the category of the proscribed classes.

2. The evidence required to justify removal proceedings need not be conclusive or competent in a court of law, but must be "substantial" as that term is applied by the courts with reference to administrative proceedings. In other words, it must be something more than an anonymous charge or mere suspicion.

RBV:RAK
6/4/42

MEMORANDUM FOR EDWIN D. DICKINSON
SPECIAL ASSISTANT TO THE ATTORNEY GENERAL

In accordance with your request, there are being forwarded with this memorandum copies of reports of investigations conducted under Public Law No. 135, 77th Congress, in which the facts developed are of such a nature that they would merit your interest. In this regard, copies of the following reports are being forwarded:

NATIONAL LABOR RELATIONS BOARD

Re: [redacted]

The reports of:

Special Agent K. A. Clev dated February 19, 1942, at Washington, D. C.

Special Agent [redacted] dated March 23, 1942, at Detroit, Michigan.

Date forwarded: April 8, 1942

Reply:

The Honorable H. A. Millis, Chairman of the National Labor Relations Board, by letter dated May 1, 1942, requested further investigation in the matter.

Re: [redacted]

The reports of:

Special Agent [redacted] dated June 4, 1941, at San Francisco, California.

Special Agent R. A. Garvey dated July 3, 1941, at Los Angeles, California.

Date forwarded: August 9, 1941, to Mr. Matthew F. McGuire, formerly The Assistant to the Attorney General.

Reply:

The Honorable H. A. Millis, Chairman of the National Labor Relations Board, informed by letter dated August 21, 1941, to Mr. Matthew F. McGuire, "I write to say that the attorney in question has resigned from the Board's staff, his resignation being accepted on June 13, and is now said to be engaged in private practice in San Francisco." Further investigation in this matter is, therefore, proceeding with no consideration being given to Section 9-A of the Hatch Act.

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Carson _____
Mr. Coffey _____
Mr. Hendon _____
Mr. Kramer _____
Mr. McGuire _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

NOT RECORDED

101-3486

Re: [redacted]

The reports of:

Special Agent [redacted] dated November 21, 1941, at Chicago, Illinois.

Special Agent J. S. Johnson dated December 9, 1941, at Denver, Colorado.

Special Agent [redacted] dated January 2, 1942, at Washington, D. C.

b7C

Date forwarded: March 11, 1942

Reply:

The Honorable H. A. Millis, Chairman of the National Labor Relations Board, informed by letter dated April 2, 1942, "In view of [redacted] record with the Board, extending for a period of more than four years, the Board is reluctant to believe such an allegation without further proof. If the person designated as Confidential Informant [redacted] or if the person referred to as [redacted] were further identified, the Board could undertake to sift the truth of this charge. I should appreciate it if your Bureau would furnish these details since the report is too incomplete to permit the Board to make an ultimate disposition of the matter." This request was answered on May 5, 1942, and no further reply has been received to date.

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Re: ⁰John Oliver Killens

The report of:

Special Agent K. A. Glow dated March 10, 1942, at Washington, D. C.

Date forwarded: March 17, 1942

Reply:

✓ The Honorable H. A. Millis, Chairman of the National Labor Relations Board, informed by letter dated April 13, 1942, "Since this report has not disclosed evidence which would support a prima facie case for dismissal proceedings, the Board is constrained to deem the report tantamount to exoneration."

Additional reports of interest regarding investigations being conducted by this Bureau under Public Law No. 135, 77th Congress, will be forwarded in the near future.

Very truly yours,

John Edgar Hoover
Director

Enclosures

RE: John Oliver Killens
Assistant Mail and Files Clerk
National Labor Relations Board
INTERNAL SECURITY - HATCH ACT

Report of Special Agent K. A. Clow dated March 10,
1942 at Washington, D. C.

*6-5-42 copy of 1st page of
report of K. A. Clow
sent to R. B. [unclear]*

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED
DATE 11/21/02 BY SP2MUT/epk

105-37137- ✓

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: April 5, 1955

FROM: SAC, WFO (105-New)

SUBJECT: JOHN KILLIUS
IS - HU
OO: NEW YORK
On 3/2/55, [redacted]*FD 205 NY 5/31/55. Rpt.
transcription
subm. 6/14/55. [initials]*

[redacted] should be described as one who is in a position to furnish accurate information and has furnished reliable information in the past, and his information should be appropriately paraphrased and protected by a T symbol), advised SA PETER J. MURPHY, JR., that the Hungarian Legation in Washington, D. C., had ordered 500 invitations for a reception to be held at the Hungarian Legation on 4/4/55, and 400 invitations for a reception to be held at the Legation on 4/2/55, both in "celebration of the tenth anniversary of the liberation of Hungary by the Soviet Army."

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On 3/15/55, [redacted]

[redacted] (who should also be protected by a T symbol, and who should be described as one who is in a position to furnish accurate information and has furnished reliable information in the past) advised SA [redacted] that catering service had been requested at the Hungarian Legation on the evening of 4/2/55, for approximately 200 individuals who were described as being from the "Hungarian colony." Catering service was also requested on the evening of 4/4/55, for approximately 300 individuals described as diplomatic personnel.

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On 3/12/55, [redacted]

[redacted] Washington, D. C., (whose identity must be very carefully protected and whose information should be paraphrased), advised SA [redacted] that several hundred letters of uniform size and shape had been mailed on that date with the return address of the Hungarian Legation, Washington, D. C. An anonymous source of known reliability noted that one of the above letters contained a printed invitation to the following effect, "In celebration of the tenth anniversary of the liberation of Hungary by the Soviet Army, the Minister of the Hungarian People's Republic and Madame SZARKA request the honor of the company of [redacted] at a reception on Monday, the 4th of April from seven to nine o'clock at the Legation." (It is presumed that a portion of the letters issued invitations

JLS:DLS/rkp

(6)

2 - New York (RM)

1 - WFO 105-4649-Sub I

RECORDED-96

INDEXED-96

1-0
F372
11 APR 20 1955

N. 105- 37137 - 1

Ack [initials]
U.I.*FD 205 NY 6/13/55. "Hungarian colony" -
Catering - will be subm. 6/14/55 on**SECRETED
[initials]*

WFO 105-New

to the reception on 4/2/55, rather than on 4/4/55.)

One of the above-mentioned uniform letters was addressed to Mr. and Mrs. JOHN KILLIUS, 652 Lafayette Avenue, Brooklyn, New York. The original documentation in this regard appears in WFO file 105-4649-Sub B.

The indices of the WFO contained no information definitely identifiable with the subject.

In the event the New York Division is not familiar with the subject or has not conducted previous investigation regarding the subject, immediate efforts should be made to determine the subject's citizenship and employment and handle as instructed in SAC Letter 54-38 (N).

This matter must receive immediate, preferred, and continuous investigative and administrative handling as per instructions in SAC Letter 54-32 (Q).

The WFO should be furnished a copy of investigative efforts in this regard for informational purposes.

Any further indication that the subject actually attended the reception will be promptly furnished the Bureau and interested offices. RUC.

9:00 AM

4-22

FEDERAL BUREAU OF INVESTIGATION
RECORDS SECTION

4/19, 195

☐ Name Check Un
☐ Attention
☐ Service Unit
☐ Forward to
☐ Return to
Supervisor
Room

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- ☐ All References
☒ Subversive References
☐ Main References Only
☐ Main References Only
☒ Restrict to Locality of
☐ Breakdown ☐ Buildup ☐ Variations
☒ Exact Name Only
☒ Exact Spelling
☐ Check for Alphabetical Loyalty Form

SUBJECT
Address

Localities
Birthdate & Place

R#

Date

Searcher
Initial

FILE NUMBER

SERIAL

M 105 371 37

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/21/02 BY SP2/STK

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 3/11/55

FROM SAC, SAN FRANCISCO (100-10102)

SUBJECT: JOHN O. KILLENS,
wa. Johnny Killems
SM - C

(NY-00)

Re New York airtel to San Francisco dated February 1, 1955.

[redacted] a clerical employee at Radio Station KCBS, San Francisco, California, whose identity should not be disclosed, advised SA [redacted] on February 17 and 21, 1955, that LOUIS EARL HARTMAN, aka, Lou, Jim Grady, San Francisco SI subject, on his radio program "This is San Francisco" over KCBS, on February 16, 1955, devoted a large part of his time to promoting the book "Youngblood", which was recently published, the author being JOHN KILLENS. [redacted] stated that on February 16, 1955, she typed an office communication from HARTMAN to EDWARD R. MURROW, CBS New York, in which he stated that he was taking the liberty to send scripts from his recent broadcast concerning JOHN O. KILLENS, author of the new novel "Youngblood" with the idea that MURROW might do a broadcast and mention the book.

A copy of this communication, along with the scripts which were sent to EDWARD R. MURROW, were furnished by [REDACTED] and will be retained in the files of the San Francisco Office. The communication, along with the scripts, is set forth as follows:

"to: Mr. Edward R. Murrow

"from: Jim Crady

"February 16, 1955

"As a co-worker and admirer of your programs I am taking the liberty of sending you a few scripts from my recent broadcasts which, as you can see, concern John C. Killens, author of the new novel, "Youngblood." I thought it might be possible for you to do a broadcast somehow that would bring these people to a wider audience. 105-37.

DECLINED

BT:EMD

(6)

cc: 2 - New York (100-102897) AEB
1 - [redacted] (100-30313)

INTERNAL SECURITY SECT

SE 8

45 AM

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INDEXED - 77

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SF 100-40482
BT:EMD

"Mr. Killens' address is 652 Lafayette Avenue, Brooklyn 16, New York.

"Thank you for your consideration.

"Sincerely,

"Gim Grady
"This is San Francisco'"

The scripts from HARTMAN's broadcast February 16, 1955, pertaining to JOHN O. KILLENS is set forth:

"Yesterday I told you about Negro History Week and what it meant to John Killens, author of the new novel, 'Youngblood'. This morning I'd like to tell you a little about the book itself. Since I think it is in a special category--and so do many of the nations's leading critics--I'm going to go at it in a little different way.

"Most books are written either as entertainment or to make money. This is a book that had to be written, and it is that sense of necessity which gives it special impact. All those who have read 'Youngblood' agree that it isn't something you breeze through in an evening.

"You put the book down and think of what you've read. It's a book that makes you mad one moment and moves you to unknown laughter the next. It's been likened in stature to 'The American Tragedy', but I think it goes beyond Dreiser. It is the first book I know of that presents the Negro people in a true light, and in so doing, sheds new light on all that we know about America.

"Now I was raised in the North without any contact with Negro people, then went to study, and later work, in the South. There, I didn't get to know them, either. In fact, I got just the opposite experience. I was kept from knowledge by the system of Jim Crow. And then, when I was offered a job, in which one of the provisions was to be membership in the Ku Klux Klan, I left the South.

"I next lived in Chicago, on the edge of one of the worst Negro slum areas in the world. And as I rode to and from work on the elevated, and looked down on the life the Negro people lead there, I said, 'How do they live at all. I'd die, or go crazy.'

"Evidentially there were all too many Negro authors who took the same viewpoint, and when I read their books I read of tormented, twisted, defeated, bitter people.

"But then, fortunately, after coming to California, I was able to get to know the Negro people in natural neighborly surroundings. And I found that all I had been told, all I had read, yes, all that I thought I had observed, was not so at all. Despite 300 years of slavery and oppression, despite 100 years of second-class citizenship, despite housing restrictions, and job restrictions, and health restrictions, my Negro friends and neighbors were strong, sturdy people who could turn a joke under conditions that would have demolished me. It's their courage and love of life and hope for the future that I value my Negro friends for.

"And it's those qualities which John Killens has so masterfully projected for everyone in 'Youngblood.' All the members of the family in the small Georgia town, are human beings. So are the whites who side with them in their struggle for a better world, and-- this is important--those who would perpetuate Jim Crow with force and violence are also human beings.

"The book is written with a rich and earthy sense of language that is truly creative. Sometimes I think there are a few of the more violent scenes that could have been played off stage, and some of the four and five letter words left out. But even as it is, 'Youngblood' has in it the real violence of life, and not the fantastic imaginings of fiction. The strong words come naturally, and are not forced, as in the so-called 'shockers.'

SF 100-40482
BT:EMD

"'Youngblood', published by Dial Press, sells for \$4.00. A first printing of 7,500 is almost exhausted, but I understand that a second printing is planned. I'm sure Paul Elder or the Emporium will be glad to take your order."

The above is furnished to the Bureau for informational purposes only with a copy to New York, office of origin. Report concerning subject's recent visit to San Francisco Bay area forthcoming.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI
 FROM : SAC, New York (105-12713)
 SUBJECT: CHANGED

DATE: 6/13/55

*0.17 to NY
6/2/55*

T.N.

*was, Johnny Killens,
John Killens, John O. Killens, John Killius*

JOHN OLIVER KILLENS, *are,* Johnny Killens,
John Killens, John O. Killens, John Killius
IS-HU

7:

Re Washington lt. to Bur. 4/6/55, captioned JOHN KILLIUS, IS-HU.

The title of this case is being marked changed to reflect the true name and other known names of the subject, JOHN OLIVER KILLENS, 652 Lafayette Avenue, Brooklyn, New York, as it appears in the files of the New York Office.

Investigation at New York City reflects that the subject of referenced case is identical with the subject of New York File 100-102397 on whom a Communist Index card is maintained. Therefore, referenced case is being closed administratively and consolidated. All future investigation at New York City will be reported under JOHN OLIVER KILLENS, *SM-C*, New York File 100-102397.

CC - 1 WFO (105-new)
 1 NY - 100-102397

JWJ:NF

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/21/02 BY SP2001/...

1-1

EX-122
 RECORDED-4
 JUN 15 1955

SE 8/10

105-31157-3

10 JUN 14 1955

EST 880

Int. Security
 OFFICE

JUN 1 1955

FEDERAL BUREAU OF INVESTIGATION

FORM No 1
THIS CASE ORIGINATED AT

NEW YORK

REPORT MADE AT SAN FRANCISCO	DATE WHEN MADE 355	PERIOD FOR WHICH MADE 1-26;2-4,8,11,16; 4-6;5-16-55 6-10-55	REPORT MADE BY SA [redacted]
TITLE JOHN O. KILLENS, wa. Johnny Killems			CHARACTER OF CASE SECURITY MATTER - C b7C
SYNOPSIS OF FACTS: <div style="text-align: right;">CONFIDENTIAL</div> <p>Subject visited San Francisco and Oakland, California, as guest of San Francisco Attorney [redacted] 2/1-7/55, reportedly to promote subject's new book, "Youngblood." During instant period, subject spoke to Negro civic group, "Men of Tomorrow." arrangements made by [redacted] and entertained by [redacted] all of whom, along with [redacted] have been reported as CP members.</p> <p style="text-align: center;">- RUC -</p> <p>DETAILS: [redacted] 11/21/02 SP2 MLT/cpt</p> <p>[redacted] who has furnished reliable information in the past, advised on January 26, 1955, that [redacted] made arrangements for JOHN O. KILLENS, "a successful New York writer," to speak before "Men of Tomorrow," a Negro civic group in Oakland, California. According to [redacted] subject was to visit San Francisco Attorney [redacted] February 1-7, 1955.</p> <p>Copy to [redacted] State by routing slip for <input checked="" type="checkbox"/> info <input type="checkbox"/> action d 12-1-65 by [redacted]</p> <p>CC TO: <u>USIA</u> REQ REC'D <u>7-18-61</u> AUG 3 1961 ANS. BY: [redacted] [redacted] R: [redacted] [redacted]</p> <p>AGENCY <u>11 NO</u> RE: [redacted] DATE [redacted] FOR [redacted] BY: [redacted]</p> <p>105-37137-4 CONFIDENTIAL</p>			
APPROVED AND FORWARDED [Signature]	SPECIAL AGENT IN CHARGE [Signature]	DO NOT WRITE IN THESE SPACES RECORDED-37 INDEXED-37 29 JUN 23 1955	
COPIES OF THIS REPORT 5 - Bureau (REG) 3 - New York (100-102397) (REG) 2 - San Francisco (100-40482) COPIES DESTROYED 13 MAY 15 1972			

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63 JUL 11 1955

U S GOVERNMENT PRINTING OFFICE 16-60687-3

AGENCY 100-510
REQ REC'D 2/20/70
REP'T FORW 3/4/70
BY JAR:st

b7C

SF 100-40482
BT/ms

On February 4, 1955, [] stated subject arrived in the San Francisco Bay Area as planned and appeared to be promoting a new book, "Youngblood," which the subject is the author of. [] said that KILLENS was to be entertained by [] at 8:00 p.m., February 4, 1955, by [] on the evening of February 5, 1955; and that subject was slated to speak at "Men of Tomorrow" at noon, February 5, 1955.

On February 11, 1955, [] stated that KILLENS kept the above-mentioned engagements on February 4 & 5, 1955, as stated above.

On May 16, 1955, [] stated that upon KILLENS' return to New York, he wrote to many individuals whom he met in the San Francisco Bay Area, acknowledging appreciation of courtesy shown him. [] stated that he had no personal knowledge of any Communist Party (CP) or subversive activity on the part of KILLENS.

[] who has furnished reliable information in the past, advised in 1947, that [] was [] the San Francisco County CP at that time. It should be noted that from 1950 until early 1955 [] publicly admitted that [] the East Bay Chapter of the Civil Rights Congress (CRC).

The CRC has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

[] Washington, D. C., advised on January 10 & 13, 1951, that he, [] was a CP member in Washington, D. C., from 1946 until 1949, during which time he knew [] to be a CP member.

[] who has furnished reliable information in the past, advised on July 30, 1950, that [] was a current member of the Washington Square Branch of the North Beach Section, San Francisco CP,

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[redacted] who has furnished reliable information in the past, advised October 22, 1946, that [redacted] true name [redacted] attended an Alameda County CP Functionary meeting at 3829 Piedmont, Oakland, California, as a representative of the Cannery Workers CP Club.

[redacted] who has furnished reliable information in the past, advised on February 8, 1955, that a reception was given in honor of JOHN O. KILLENS the evening of February 5, 1955, at the home of [redacted] Berkeley, California. At this reception, KILLENS was accompanied by [redacted]

According to [redacted] KILLENS made a short speech before this group, at which time he stated in substance that, "A meeting such as this would probably be called a Communist meeting, but why worry about being called a Communist when you are fighting for the freedom of the Negro people."

[redacted] who has furnished reliable information in the past, advised in 1949 that [redacted] was a member of the Albany, California, CP Club of the Alameda County CP from 1947 to 1949. She served [redacted] 1948 and 1949, respectively.

[redacted] who has furnished reliable information in the past, advised on April 27, 1950, that [redacted] was a member of the Executive Board of the William Z. Foster CP Club, San Francisco East Bay Region.

[redacted] who has furnished reliable information in the past, advised on February 10, 1955, that a reception was held in honor of JOHN O. KILLENS at the residence of [redacted] Oakland, California, at 8:30 p.m., February 9, 1955.

[redacted] who has furnished reliable information in the past, advised on May 5, 1953, that [redacted] and his

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SF 100-40482

BT/ms

[redacted] were members of the San Francisco East Bay Labor Youth League (LYL).

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The LYL has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

LOUIS EARL HARTMAN, professionally known as JIM GRADY, in his daily week-day radio program, "This is San Francisco," Radio Station KCBS, San Francisco, 7:15 a.m., February 16, 1955, devoted a large part of instant program with a favorable review of the book, "Youngblood."

[redacted] who is in a position to furnish reliable information, advised December 22, 1948, that LOUIS EARL HARTMAN was a member of the Berkeley Section of the Alameda County, California, CP.

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[redacted] who is in a position to furnish reliable information, advised on February 16, 1955, that LOUIS HARTMAN told him personally that he had occasion to meet JOHN O. KILLENS during KILLENS' recent visit to San Francisco, California.

- RUC -

~~CONFIDENTIAL~~

SF 100-40482
BT/ms

Careful consideration has been given to each source concealed and T symbols were utilized in the report only in those instances where the identity of the source must be concealed.

SOURCES:

<u>Identity of Source</u>	<u>Date of Activity and/or Descrip. of Information</u>	<u>Date Received</u>	<u>Agent to Whom Furnished</u>	<u>File Number Where Located</u>	
<div></div>	2/1-7/55	1-26-55	<div></div>	<div></div>	
	2/4-5/55	2-4-55	b7C		
	2-5-55	2-11-55	"		
	Subsequent to 2-7-55	5-16-55 ✓	"		
	Thumbnail of	<div></div>			
	Thumbnail of				
	Thumbnail of				
	2-5-55	2-8-55 ✓	<div></div>	<div></div>	b2
	Thumbnail of	<div></div>			b7D
	Thumbnail of	<div></div>	b7C		

ADMINISTRATIVE PAGE

SF 100-40482
BT/ms

<u>Identity of Source</u>	<u>Date of Activity and/or Descrip. of Information</u>	<u>Date Received</u>	<u>Agent to Whom Furnished</u>	<u>File Number Where Located</u>
<div style="border: 1px solid black; width: 120px; height: 140px; margin: 0 auto;"></div>	2-9-55	2-10-55	<div style="border: 1px solid black; width: 100px; height: 30px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 150px; height: 25px; margin: 0 auto;"></div> (17)
	Thumbnail of	<div style="border: 1px solid black; width: 320px; height: 25px; margin: 0 auto;"></div>		
	Thumbnail of	<div style="border: 1px solid black; width: 220px; height: 25px; margin: 0 auto;"></div>		
	2-55	2-16-55	<div style="border: 1px solid black; width: 110px; height: 40px; margin: 0 auto;"></div>	This report.

Suitable pretext

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REFERENCES:

New York airtel to San Francisco, dated 2-1-55.
San Francisco letter to Director, dated 3-14-55.

ADMINISTRATIVE PAGE

CONFIDENTIAL

FEDERAL BUREAU OF INVESTIGATION

Reporting Office NEW YORK	Office of Origin NEW YORK	Date 10/12/55	Investigative Period 1/28; 2/1, 3, 4, 7, 10, 11, 3/2, 10, 21, 31; 6/23; 8/19, 22-24; 9/12, 14, 17, 19/55
TITLE OF CASE CHANGED JOHN OLIVER KILLENS		Report made by BENJAMIN F. GRAVES	Typed By pmr
		CHARACTER OF CASE SECURITY MATTER - C 17248	

Synopsis.

Subject born 1/14/16 in Macon, Ga. 1949 election records reflect subject self-employed as a writer. Subject resides 652 Lafayette Ave., B'klyn, NY. The name JOHN O. KILLENS appears on 1949 CPNP. One JOHN O. KILLENS, from the Council on African Affairs was to attend the Conference on Yonkers Lynchings in April 1953, in NYC. The National Council of the Arts, Sciences and Professions announced a series of "ASP Starlight Forums" to be held in NYC in June and July 1954 and JOHN KILLENS, not further identified, was a scheduled speaker. Subject attended a social of the Hollywood Arts, Sciences and Professions Council on 1/22/55 in L.A., California. JAMES JACKSON, left message for subject to contact him at National CP Headquarters. Subject advised on 8/29/51 that he was acquainted with JAMES EDWARD and [redacted] and he also advised that he belonged to the Southern Negro Youth Congress. The Hungarian Legation, Washington, D.C., sent an invitation to Mr. and Mrs. JOHN KILLIUS, 652 Lafayette Ave., B'klyn, NY, to attend a reception at the Legation in April 1955. KILLENS admitted, in 1942, membership in the Washington Committee for Democratic Action; admitted being a delegate to the American Youth Congress and admitted participating in the activities of the National Negro Congress. Election records reflect JOHN O. KILLENS, 66 Hancock St., B'klyn, NY, registered a preference for the ALP from 1949 through 1952.

- P -

Approved <i>JRK</i> Special Agent in Charge Copies made: 4 - Bureau (RM) 2 - Washington Field (RM) 3 - New York (100-102397) Copy to <i>State</i> by routing slip for <input checked="" type="checkbox"/> info <input type="checkbox"/> action by <i>TRK/CS</i>	Do not write in spaces RECORDED - 77 <div style="font-size: 2em; font-weight: bold; text-align: center;">105-37137-5</div> <div style="text-align: center;">13 OCT 14 1955</div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> C TO: USA REQ REC'D 1-18-1961 AUG 3 1961 BY: <i>ky</i> </div> <div style="margin-top: 10px;"> Cons. <i>Association</i> AGENCY <i>1cc</i> REQ REC'D <i>2/20/70</i> REPT FORM <i>3/16/70</i> BY <i>JAR:SB</i> </div>
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CONFIDENTIAL

37249

NY 100-102397

DETAILS: The aliases, JOHN O. KILLENS and JOHN KILLENS are being deleted from the title because they are obvious variations of the subject's full name. The alias JOHN KILLIUS is being deleted from the title because it is apparently a misspelling. The alias JOHNNY KILLEMS is being deleted from the title because there is insufficient identifying data on KILLEMS to say he is identical with the subject.

I. BACKGROUND

A. Birth

AGE 23-1916
GA.
The records of the Bureau of Vital Statistics, State of Georgia, as checked by SE [redacted] on April 14, 1955, reflected from Birth Record Number 06804 that JOHN OLIVER KILLENS, a Negro male, was born on January 14, 1916, at Macon, Bibb County, Georgia. These records also reflected the following information about the subject's father, CHARLES MILES KILLENS: Occupation - laborer, age 23. These records reflected the following information about the subject's mother, WILLIE L. COLMAN: Occupation - housewife; age 21; residence - 156 Virgin Street, Macon, Georgia.

Mr. THOMAS A. PARHAM, Assistant Chief Attorney, Veterans Administration, Regional Office, 250 Livingston Street, Brooklyn, New York, made the subject's records available to SA [redacted] on March 24, 1955, and they reflected that the subject was born on January 14, 1916, at Macon, Georgia.

b7C

B. Marital Status

[redacted] previously mentioned, made the subject's Veterans Administration records available to SA [redacted] on March 24, 1955, and these records reflected that the subject married GRACE WARD JONES of 66 Hancock Street, Brooklyn, New York, on June 19, 1943, at Brooklyn, New York.

b7C

[redacted] who is in a position to furnish reliable information, advised on January 6, 1954, that GRACE KILLENS, 652 Lafayette Avenue, Brooklyn, New York, was employed by the Amtorg Trading Corporation, 10 Madison Avenue, New York, New York, in 1942. b2 b7D

According to the records of the New York County Clerk, the Amtorg Trading Corporation is a New York corporation

NY 100-102397

formed in 1924. It has acted since then as a buying and selling agency in the United States for the Soviet Government. Since 1949, it has been registered with the Department of Justice under the provisions of the Foreign Agents Registration Act.

C. Education

[redacted] Registrar's Office, Morris Brown College, Atlanta, Georgia, advised on May 18, 1955, from the academic records of JOHN OLIVER KILLENS, that KILLENS was a student at this institution for one semester, from September 1935, to January 1936. Mrs. DIXON stated that according to the subject's application, he previously attended Ballard Normal School in Macon, Georgia, for four years, graduating in 1933. She stated that the subject b7C also stated that he had attended Edward Waters College, Jacksonville, Florida, for one year. [redacted] advised that a transcript of the subject's credits was sent to Howard University, Washington, D.C., on September 25, 1937.

[redacted] previously mentioned, b7C made the subject's Veterans Administration records available to SA [redacted] on March 24, 1955, and these records reflected the subject attended the following schools, colleges and universities:

Edward Waters Junior College
Jacksonville, Florida
1934 - 1935

Morris Brown College
Atlanta Georgia
1935 - 1936

Terrell Law School
Washington, D.C.
1939 - 1942

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Columbia University
New York City
July 6, 1948 - August 13, 1948
(summer session)
September 23, 1948 to June 1, 1949
(School of General Studies)

D. Military Record

[redacted] previously mentioned, made the Veterans Administration records of the subject available to SA [redacted] on March 24, 1955, and they reflected that the subject was in the United States Army from July 17, 1942, until December 3, 1945, and that he was assigned Army Serial Number 33192284.

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E. Employment

The 1949 election records for the Borough of Brooklyn, New York, as caused to be checked by SE [redacted] on March 2, 1955, reflected the subject was self-employed as a writer.

F. Residence

Mr. THOMAS A. GARAHAM, previously mentioned, made the subject's Veterans Administration records available to SA [redacted] on March 24, 1955, and these records reflected that the subject resided at 652 Lafayette Avenue, Brooklyn, New York, as of September 1950. These records reflected that the subject resided from 1945 until July 1948 at 66 Hancock Street, Brooklyn, New York. These records also reflected that during January 1947, he resided at 2007 Maryland Avenue, Northeast, Washington, D.C.

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[redacted] previously mentioned, advised on May 18, 1955, that on the subject's application for admittance to Morris Brown College, Atlanta, Georgia, the subject stated that he was residing at 211 Ward Street, Macon, Georgia.

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In a pretext telephone call made on March 12, 1954, to the telephone number ST 9-5428, an individual answered the telephone and identified himself as JOHN KILLENS. He further stated that he and his wife, GRACE KILLENS, resided at 652 Lafayette Avenue, Brooklyn, New York.

In a pretext telephone call made on September 14, 1955, to telephone number ST 9-5428, which is listed to GRACE KILLENS, 652 Lafayette Avenue, Brooklyn, New York, wife of the subject, an individual answered the telephone and identified himself as JOHN KILLENS and he advised that he resided at 652 Lafayette Avenue, Brooklyn, New York.

II. AFFILIATION WITH THE COMMUNIST MOVEMENT

1. Communist Party Sympathies

The records of the Bureau of Special Services and Investigation, New York City Police Department, as caused to be checked by SA AUGUST J. MICEK on February 1, 1955, reflected that the name JOHN O. KILLENS, 652 Lafayette Avenue, Brooklyn, New York, appears on Page 2597 of a 1949 Communist Party Nominating Petition for Councilman B. J. DAVIS.

BENJAMIN J. DAVIS, JR. was one of the 11 members of the National Committee of the Communist Party (CP) who was convicted on October 14, 1949, in the United States District Court, Southern District of New York, for violation of the Smith Act of 1940.

2. Communist Party Front Organizations

[redacted] the Building at 53 West 125th Street, New York, New York, on August 6, 1954, made available to SAS [redacted] and [redacted] material abandoned by the Harlem Division of the Civil Rights Congress (CRC), at the above address. Among this abandoned material was the names and addresses of numerous individuals who signed and/or had made

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contributions to the CRC. The name JOHN O. KILLENS, 652 Lafayette Avenue, New York City, was among those names listed as having signed a CRC Petition for [redacted]

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[redacted] The CRC has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

[redacted] who has furnished reliable information in the past, furnished information on February 9, 1953, which reflected that one JOHN O. KILLENS from the Council on African Affairs was to attend a conference on Yonkers Lynchings to be held at the library, 23 West 26th Street, New York City, on April 8, 1953.

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The Council on African Affairs has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

[redacted] who has furnished reliable information in the past, furnished information on June 3, 1954, which reflected that the National Council of the Arts, Sciences and Professions were announcing a series of "A.S.P. Starlight Forums" at Penthouse 10A, 59 West 71st Street, New York City, to be held at 8:30 P.M. every Sunday from June 6, 1954, through July 25, 1954. Informant advised that JOHN KILLENS, not further identified, was one of the scheduled speakers for June and July.

Concerning the National Council of the Arts, Sciences and Professions, the following is noted in the Guide to Subversive Organizations and Publications, dated May 14, 1951, prepared and released by the Committee on Un-American Activities, U.S. House of Representatives, Washington, D.C.:

- "1. Cited as a Communist front.
"(Congressional Committee on Un-American Activities, Review of the Scientific and Cultural Conference for World Peace arranged by the National Council of the Arts, Sciences, and Professions and held in New York City on March 25, 26, and 27, 1949, House Report No. 1954, April 26, 1950 (originally released April 19, 1949), p.2.)"

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[] previously mentioned, furnished information on December 8, 1954, which was issued by the New York Council of the Arts, Sciences and Professions and they reflected that the writing and publication division of Arts, Sciences and Professions was announcing its third monthly forum "Naturalism and Contemporary Literature" to be held on December 14, 1954, at the Arts, Sciences and Professions Headquarters. The informant advised that one of its leaders was JOHN KILLENS, not further identified.

[] previously mentioned, furnished a copy of the by laws of the New York Council of the Arts, Sciences and Professions on February 26, 1954, Section B, Article One, and "states that this organization shall be affiliated with the National Council of the Arts, Sciences and Professions".

[] both of whom have furnished reliable information in the past, advised on February 3, 1955, that JOHN O. KILLENS attended a social of the Hollywood Arts, Sciences and Professions Council on January 22, 1955, held at 562 Western Avenue, Los Angeles, California.

[] further advised that the subject made a short talk at this social regarding his book "Youngblood".

[] who has furnished reliable information in the past, advised on February 20, 1951, that the Hollywood Arts, Sciences and Professions, which is the southern California Chapter of the National Council of the Arts, Sciences and Professions, was the most important Communist controlled organization in the Hollywood professional field at that time and its policies paralleled the Communist Party line on all important issues. Informant stated, however, that membership in the Hollywood Arts, Sciences and Professions does not, of itself, denote membership and/or sympathies with the Communist Party.

On August 29, 1951, the subject advised SAS [] and [] that he was acquainted with JAMES EDWARD JACKSON and []

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KILLENS stated that he formerly resided in Washington, D.C., and he had met JACKSON there while he, KILLENS, belonged to the Southern Negro Youth Congress. KILLENS said that he did not recall seeing JACKSON or his wife during 1951 and he might have seen him once or twice in 1950 at an American Labor Party (ALP) meeting. KILLENS stated he dropped out of the Southern Negro Youth Congress in 1948, when he left Washington, D.C., and came to New York City to go to school. KILLENS stated that he did not know the present whereabouts of JACKSON; he does not know any of the friends of JACKSON; and has received no communication from JACKSON or his wife. KILLENS was asked if he would notify the Federal Bureau of Investigation (FBI) if he found out where JACKSON is presently hiding and he stated he was not certain whether he would or not - that it was an academic question, and that he would have to cross that bridge when he came to it.

KILLENS admitted that he was at the JACKSON residence at [redacted] Brooklyn, New York, shortly after JACKSON disappeared, because he wanted to find out from JACKSON'S wife if he could help her in any way. KILLENS stated that Mrs. JACKSON was not at home and that he had not gone back to their residence since that time.

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On January 8, 1951, [redacted] who is in a position to furnish reliable information, advised that JAMES JACKSON left a message for JOHN KILLENS, 652 Lafayette Avenue, Brooklyn, New York, that the latter should get in touch with JACKSON at National Communist Party Headquarters.

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Doctor JAMES EDWARD JACKSON, JR., former Southern Regional Director and Alternate Member of the National Committee, CP, USA, was indicted on June 20, 1951, by the Federal Grand Jury, Southern District of New York, for violation of the Smith Act of 1940. A bench warrant was issued on the same date and is currently outstanding. JACKSON is a fugitive.

During the course of an investigation conducted in 1942 under the provisions of the Hatch Act, KILLENS was interviewed, at which time he admitted membership in the Washington Committee for Democratic Action; admitted being a delegate to the American Youth Congress; and admitted participating in the activities of the National Negro Congress, but stated he was not a member of the latter organization.

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The Southern Negro Youth Congress has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

Concerning the ALP, the following is to be noted:

[] who has furnished reliable information in the past, advised on September 9, 1954, that from the time of its inception in 1936, there existed within the American Labor Party a struggle for power among three groups. These were the Communist Party, the Socialist Party and the Social Democrats. By the early 1940's the Communist Party emerged as the controlling force within the American Labor Party in the major industrial areas in New York State. Generally these were the areas around Albany, Buffalo, Jamestown, Rochester, Schenectady, Syracuse, Troy, the Hudson River Valley, Columbia, Dutchess, Nassau and Westchester Counties, and New York City with the exception of Brooklyn. In 1942 the Communist Party was able to capture the American Labor Party in Brooklyn. [] knew this situation to continue up until at least 1949. The American Labor Party never developed into an organization of any real consequence in the non-industrial areas of New York State.

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[] who has furnished reliable information in the past, advised on May 9, 1955, that the Communist Party today, as in the past, through its members in key positions in the American Labor Party constitutes the force that controls it.

The Washington Committee for Democratic Action has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

The American Youth Congress has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

The National Negro Congress has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

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[] who is in a position to furnish accurate information, furnished information on September 27, 1941, which reflected that one JOHN KILLENS, 430 21st Street, Northeast, Washington, D.C., representing the Terrell Law Students Association, was one of a number of individuals from Washington, D.C., who executed delegates' cards at the Convention of the American Youth Congress and he also made a contribution of \$3.00.

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3. Communist Party Associates

[] who has furnished reliable information in the past, advised in the Spring of 1949 that JOHN OLIVER and GRACE KILLENS were associates of []. Informant advised that through the efforts of [] GRACE KILLENS was employed for about two months in March, 1948, at the Bulgarian Legation, Washington, D.C., where she did typing work.

ALICE MARY STAPLETON appeared before the House Un-American Activities Committee on December 13, 1950. The "New York Times," issue of December 14, 1950, in an article entitled, "5 Red Quiz Witnesses Face Contempt Move" stated: "Five witnesses who refused to answer questions relating to Communist activities may be cited for contempt by the House Committee on Un-American Activities."

It is noted that ALICE STAPLETON of New York City was one of the five who refused to answer questions on the grounds that their answers might incriminate them, according to this article.

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[redacted] who is in a position to furnish reliable information, advised on November 8 and 9, 1954, that [redacted] who is at the present in a leadership capacity in the CP Underground in the New York area, had information in his possession which reflected that JOHNNY and GRACE KILLEMS, not further identified, were known to [redacted] [redacted] Brooklyn, New York. N.Y.

Articles appearing in the "Daily Worker", an East Coast Communist newspaper, issues of June 8, 1948, page seven, column one, and October 31, 1948, page 11, column five, referred to IRENE WHEELER as Educational Director of the New York State American Youth for Democracy. MEMBER 1947, 1948 N.Y.

The files of the Passport Office, United States Department of State, were reviewed in April, 1954, by SE [redacted] and they disclosed that upon filing an application for passport on June 11, 1947, IRENE WHEELER listed her occupation as President of the Manhattan American Youth for Democracy.

The American Youth for Democracy has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

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[redacted] who has furnished reliable information in the past, advised on January 28, 1955, that JOHN KILLENS, a Negro, who presently resides in Brooklyn, New York, who was born and raised in Macon, Georgia, and who was the author of a recently published book entitled "Youngblood," had attended a meeting at the residence of [redacted] on November 30, 1954. Informant stated that this meeting was to acquaint those present with JOHN KILLENS and his book.

[redacted] who has furnished reliable information in the past, advised on February 2, 1955, that [redacted] is one of a group of individuals who meet intermittently at the home of MANDEL XTERMAN, who is Chairman of the Board of Directors of the Chicago Council of American Soviet Friendship. This group, which has no specific name or organizational structure, commenced meetings on July 14, 1954, and their purpose is to work towards bringing Soviet culture and education to Chicago. This group actively supports and promotes Communist Party front appeals in the Chicago area. Any Communist Party front can feel free to call upon this group and they will organize and actively support their affairs, such as socials, lectures and fund raising. The informant stated that this group has no direct connection with the Chicago Council of American Soviet Friendship.

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[redacted] who has furnished reliable information in the past, advised on May 12, 1955, that the Chicago Council of American Soviet Friendship, since its inception in Chicago in the 1940's, has never failed to propagandize for Russia and the Russian way of life. The informant advised that the Chicago Council of American Soviet Friendship has always been extremely critical of the United States domestic and foreign policy and has used speakers known to the informant as Communist Party members.

III. MISCELLANEOUS COMMUNIST PARTY
ACTIVITIES

[] who is in a position to furnish reliable information, furnished information on April 17, 1954, which reflected that the names Mr. and Mrs. JOHN KILLENS, 652 Lafayette Avenue, Brooklyn, New York, were in the records on the ninth floor of 832 Broadway, New York City, which is occupied by New Century Publishers, "Political Affairs" and "Masses and Mainstream". b2 b7D

JOHN LAUTNER, a Communist Party functionary for over 20 years, who, at the time of his expulsion from the CP in January 1950, was Chairman of the New York State Review Commission, in January 1951, identified New Century Publishers as the pamphlet publishing house for the Communist Party, USA.

Concerning "Political Affairs", the following is noted in the Guide to Subversive Organizations and Publications, dated May 14, 1951, prepared and released by the Committee on Un-American Activities, U.S. House of Representatives, Washington, D.C.:

"1. Cited as an 'official Communist Party monthly theoretical organ.' 'Political Affairs, formerly known as the Communist, "a magazine of the theory and practice of Marxism-Leninism published monthly by the Communist Party of the United States of America," now calls itself "a magazine devoted to the theory and practice of Marxism-Leninism." Its chief editor is Eugene Dennis, executive secretary of the party.'

"(Congressional Committee on Un-American Activities, Report No. 1920, May 11, 1948, pp. 5 and 36; also cited in Report No. 209, April 1, 1947, p.25.)

"2. New name for the monthly ideological publication of the Communist Party, the Communist.

"(California Committee on Un-American Activities, Report, 1948, p. 252.)"

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Concerning "Masses and Mainstream", the following is noted in the Guide to Subversive Organizations and Publications, dated May 14, 1951, prepared and released by the Committee on Un-American Activities, U.S. House of Representatives, Washington, D.C.:

"1. Cited as the successor to New Masses, 'a Communist magazine.'
"(Congressional Committee on Un-American Activities, House Report No. 1953, on the Congress of American Women, April 26, 1950 (originally released October 23, 1949), p.75.)

"2. 'Among typical examples of the Communist press and publications.'

"(California Committee on Un-American Activities, Report, 1948, p. 49.)"

~~GRADY~~ ~~NO~~ CUMMINGS, 1333 Fifth Avenue, New York City, advised on February 7, 1955, that he had, in the past, observed JOHN KILLENS at Freedom Associates, but further stated, that he did not know the purpose, capacity or degree of association on the part of the subject with this organization. N.Y.

"Freedom", in its issue of March, 1955, Volume Five, Number Three, Page Two, reflects that it is published by Freedom Associates, located at 139 West 125th Street, New York 27, New York.

In December, 1950, [] who has furnished reliable information in the past, advised that the editorial board of the newspaper, "Freedom", was composed, at that time, of Communist Party members and Communist Party sympathizers. [] stated that "Freedom" was intended as a replacement for the Harlem edition of "The Worker".

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